

Applicant: Xuzhi Qin
Serial No.: 10/694,111
Group Art Unit: 1626

PATENT
Docket No.: 10-9436

REMARKS

This Amendment is filed in response to the Official Action mailed March 30, 2005 in which the Examiner has restricted the claims of the present application.

In this Amendment, claims 1, 14, and 15 have been amended. Following entry of this amendment, claims 1-15 shall be pending.

Claims 14 and 15 have been amended to correct a typographical omission. Specifically, the chemical structure in claim 14 was misplaced and instead should be located within claim 15.

Responsive to the Restriction Requirement, Applicant responds as follows:

Applicant elects to prosecute Group II, drawn to compounds of formula (I) wherein F is attached to side j, and composition thereof, classified in several heterocyclic classes (540, 544, 544, 548, 546, 549) and non-heterocyclic classes (558, 562, etc.), numerous subclasses. In this regard, claim 1 has been amended to remove reference to F being fused to side i.

It should be noted that the Examiner restricted the present application to two groups: group I "...wherein F is attached to side k" and group II "...wherein F is attached to side j". However, the Applicant believes that the Examiner was mistaken in referring to side "k" in group "I", and instead group I should read "...wherein F is attached to side i" since this is what is recited in claim 1. This mistake does not change the Applicants election of group II wherein F is attached to side "j".

The Examiner has also required that the Applicant elect one representative for each of R1-R7, m, and F in formula (I), and the point of attachment of each elected substituent.

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In response, the Applicant further elects the following representative:

F is a 5- to 7-member saturated heterocyclic ring group fused to j side of the naphthopyran ring and containing an oxygen atom directly connected to 7-, 8-, or 9-position;

R₆ represents an aryl or heteroaryl group which comprises in its basic structure (that is, in its ring atoms, the rings comprising 5, 6, or 7 atoms) 6 to 24 carbon atoms or 4 to 24 carbon atoms respectively and at least one heteroatom selected from sulfur, oxygen and nitrogen; the basic structure being optionally substituted with at least one substituent selected from: a linear or branched alkoxy group comprising 1 to 12 carbon atoms;

R₅ represents a linear or branched alkenyl or alkynyl group comprising 1-12 carbon atoms, preferably a vinyl or allyl group;

R₁ and R₂, represents: a cycloalkyl group which comprises 3 to 12 carbon atoms, an aryl or heteroaryl group as R₆ defined supra (within claim 1);

R₇ represents a hydrogen where m is an integer of 1.

This election is made without prejudice or disclaimer to seek prosecution of claims to the non-elected species, if necessary, in future divisional applications.

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CONCLUSION

It is submitted that pending claims 1-15 are now in condition for allowance. Hence an indication of allowability is hereby requested.

If for any reason direct communication with Applicants' attorney would serve to advance prosecution of this case to finality, the Examiner is cordially urged to call the undersigned attorney at the below listed telephone number.

The Commissioner is authorized to charge any fee which may be required in connection with this Amendment to deposit account No. 50-2809.

Respectfully submitted,

Dated: May 31, 2005

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